

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RHONDA R. EMERSON,

Plaintiff,

v.

NANCY A. BERRYHILL,

Defendant.

CASE NO. C17-1751RBL

ORDER

THIS MATTER is before the Court on Plaintiffs Motion for Leave to Proceed *in forma pauperis* [Dkt. #1].

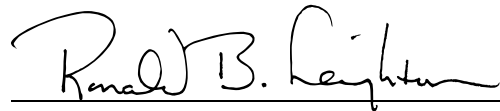
A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but “the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted.” *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should “deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit.” *Tripathi v. First Nat’l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*

1 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*  
2 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.  
3 1984).

4 The Plaintiff has met this standard. The Motion to Proceed *in forma pauperis* [Dkt. #1] is  
5 GRANTED.

6 IT IS SO ORDERED.

7 Dated this 14<sup>th</sup> day of December, 2017.

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10 Ronald B. Leighton  
United States District Judge